

*Appln no. 09/676,620
Amendment dated Oct. 12, 2004
Reply to Office Action of July 15, 2004*

REMARKS

This paper is in reply to the Office Action dated July 15, 2004. In this paper, Applicants have amended claims 1, 19, 20 and 28 and canceled claims 40 and 41. Claims 1, 6-12, 14-16, 19-23, 28-39 and 42-43 are pending. (Applicants note that upon review of the file, no claim 13 was ever filed.) Reconsideration of the application, as amended, is requested.

Claims 1, 19, 20, 28, 40 and 41 were objected to for various informalities. Applicants contend that the amendments above have addressed the Examiner's concerns.

Claim 1 has been amended to be:

1. A heptanoic acid antimicrobial composition comprising:
0.01 to 5 wt. % heptanoic acid; and
greater than 60 wt. % of a freezing point depressant component comprising
propylene glycol and glycerin.

The phrase "in the range of" has been canceled, as has "an antimicrobial component consisting essentially of". Applicants have not replaced "comprising" in line 1 with "consisting essentially of", because that would unduly limit the claim. The antimicrobial composition can include additional ingredients in addition to the heptanoic acid and the freezing point depressant. For example, the composition could include 5 wt-% heptanoic acid, 65% freezing point depressant component, leaving 30 wt-% to be other ingredient. Dependent claim 42 recites that the composition can further include a rheology modifier, lanolin, surfactant, sequestrant, or mixture thereof.

Claim 19 has been amended to be:

19. A method for controlling mastitis in milk producing animals, the method comprising:
applying a heptanoic acid antimicrobial composition to a teat of a milk producing animal, wherein the heptanoic acid antimicrobial composition comprises:
0.01 to 5 wt. % heptanoic acid; and

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greater than 60 wt. % of a freezing point depressant component comprising propylene glycol and glycerin.

The phrase "in the range of" has been canceled, as has "an antimicrobial component consisting essentially of". "Milk producing" has been inserted before "animal". Applicants have not replaced "comprising" in line 4 with "consisting essentially of", because that would unduly limit the claim. The antimicrobial composition can include additional ingredients in addition to the heptanoic acid and the freezing point depressant. For example, the composition could include 5 wt-% heptanoic acid, 65% freezing point depressant component, leaving 30 wt-% to be other ingredient. Dependent claim 43 recites that the composition can further include a rheology modifier, lanolin, surfactant, sequestrant, or mixture thereof.

Claim 20 has been amended to be consistent with claim 19.

The duplicative recitation of "wherein" in claim 28 has been canceled.

Claims 40 and 41 have been canceled.

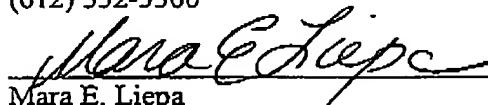
Applicants contend that the amendments above have addressed the Examiner's concerns. Withdrawal of these rejections is requested.

SUMMARY

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. The Examiner is invited to telephone the undersigned at the below-listed telephone number if there are any questions or to discuss this application.

Respectfully submitted,

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Date: October 12, 2004

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